

**Westbrook Planning Commission
Regular Meeting Minutes
October 21, 2013
Mulvey Municipal Center, 866 Boston Post Road
Multi-Media Room**

MEMBERS PRESENT: Marilyn Ozols, Chair; William Neale, Vice Chair; Phil Bassett, Secretary; Carole Ketelsen, Eric Reeve, Libby Waldron, (alt.), Marie Farrell (alt.)

ALSO PRESENT: Meg Parulis, Town Planner and Lisa DeMaria, Recording Secretary

Ms. Ozols called the meeting to order at 7:03 p.m.

SUBDIVISIONS:

1. Yield Plan – Property of Ketelsen, located at 990 E. Pond Meadow Road, parcel ID 116/034

Ms. Ketelsen recused herself from the discussion at this time.

Robert Doane, P.E. explained to the Commission that the Conventional Site Plan submitted consists of 6 lots (4 front lots and 2 back lots) served by a 1,000 foot cul-de-sac off East Pond Meadow Road. The lots, open space and road configuration conform to the Design Standards of the Subdivision Regulations and the Area Regulations (Sect. 4.03.00) for the Rural Residential District in the Zoning Regulations. Mr. Doane submitted information to Ms. Parulis shortly before the meeting regarding proposed septic systems including reserve for lots 1, 3, 4 and 5 as required in Sect. 9.12.04 e). Reserve was shown for lots 2 & 6 which have existing homes on them.

Mr. Doane noted that each lot can accommodate up to a 4 bedroom house. The soils have been tested and consist of sandy, gravel soils. There is seasonally, moderately shallow groundwater in the area and these issues have been addressed in the design of the systems.

Mr. Doane has submitted a letter from Heidi Wallace, Inland Wetland Agent, indicating that a wetland crossing for the proposed road “could likely be allowed”.

Mr. Neale stated that the Commission had discussed the plan at length at its previous meeting and feels that the plan meets the Zoning Regulations for a Conventional Subdivision.

Mr. Neale made a motion to find that the yield plan for 6 lots as shown on the plan titled “Conventional Site Plan “C” prepared for Carole A. & Robert Ketelsen, 990 East Pond Meadow Road, Westbrook, CT dated 09/24/13 prepared by Doane-Collins Engineering Associates, LLC” is reasonably in conformance with the standards that would apply to a Conventional Subdivision. The motion was seconded by Mr. Bassett and unanimously approved.

Following the review of the Yield Plan, Mr. Doane presented a revised Conservation Design incorporating Commission member comments from his earlier presentation. This design is for 6 lots, 5 of which are to be served by a cul-de-sac with a gravel emergency access onto East Pond Meadow Road. One lot will be served directly from East Pond Meadow. The Open Space areas were also revised based on feedback from the Westbrook Land Conservation Trust.

Ms. Farrell noted that the cul-de-sac had been shortened from the previous plan resulting in a longer driveway to Lot 3. Mr. Doane responded that shortening the cul-de-sac allowed an additional lot which is needed to offset the cost of the road. It would also be less maintenance for the Town in the future. The driveway will be approx. 300’ which is not excessively long.

2. 1999-000-P Wilson Riverview Estates – Resubdivision of Lot #2 – 4 Lots – **Call Performance Bond for Sidewalk**

Ms. Ketelsen rejoined the meeting at 7:34 p.m.

Ms. Parulis explained that the construction of approximately 620 feet of sidewalk on the south side of Boston Post Road between Indian Trail and Riverview Road was required as a public improvement in association the Re-Subdivision of Lot #2 Wilson Riverview Estates. Initially, construction of the sidewalk was deferred until completion of the bridgework by ConnDOT in 2003. The 5-year period to complete the public improvements expired in 2005. The original bond amount deposited in passbook #201133430 with Liberty Bank was \$13,000.00. The current balance with interest is approximately \$17,000.00. The applicant has agreed to release the bond to the Town so that it may construct the sidewalk. She recommended that the Planning Commission call the bond for this purpose.

Woodard & Curran is currently working on the design of the sidewalk at a cost of approximately \$3,000.00. The survey for the design was provided by David Stein. Preliminary design indicates that some grading easements will be needed from a couple of adjoining property owners. Once the design is complete, the property owners will be contacted to see if they are willing to grant an easement. Once the necessary easements have been secured, the Public Works Department will obtain cost estimates for construction. Final plans will be submitted to the Planning Commission for authorization to proceed with construction.

Mr. Neale made the following motion:

Whereas, the Planning Commission of the Town of Westbrook required a performance bond for the completion of a sidewalk on Boston Post Road Between Indian Trail and Riverview Road in association with the approval of a 4-Lot Re-Subdivision of Lot #2, Wilson Riverview Estates.

Whereas, the amount of \$13,000.00 was deposited by R&C Realty of Westbrook, LLC in Passbook Account #201133430 with Liberty Bank to secure and guarantee completion of said work.

Whereas, the period for completion of public improvements expired on or about September 18, 2005.

Whereas, upon notification of default, the applicant, acting through its attorney, has released any claim to the passbooks, or accrued interest, in full satisfaction of any claim the Town may have with regards to the installation of sidewalks.

Now therefore, be it resolved that the Westbrook Planning Commission, in accordance with the Bond Agreement with R&C Realty of Westbrook, LLC, shall perform said work on its own behalf and withdraw from Passbook Account #201133430 the entire amount of the bond including interest accrued.

The motion was seconded by Ms. Ketelsen and unanimously approved.

3. 2004-008-P Subdivision of 243 Grove Beach Road North (aka Fairway Estates), 3 lots on 6.69 acres including road construction (Fairway Lane) – **Request for release of Maintenance Bond**

Ms. Parulis reported that she had inspected the road and recommends release of the Maintenance Bond in the form of a Letter of Credit.

Mr. Neale made a motion to release the full amount of the Maintenance Bond. The motion was seconded by Mr. Bassett and unanimously approved.

TOWN AND GOVERNMENT AGENCY REFERRALS: None

SELECTMEN REFERRALS: None

ZONING REFERRALS:

1. ZC-2013-014 – 1306 Boston Post Road – Application for a proposed Set Aside Affordable Housing Development pursuant to §8-30g of the Connecticut General Statutes. This proposal is for a Site Plan approval for a 7-Unit Multi-Family Residential Development.

Attorney Ed Cassella stated that the property had previously been approved through a Site Plan Application as a mixed use property. The proposed development is for 7 rental apartments. At this time there are no plans for the units to be condominiumized.

Attorney Cassella indicated that:

- There are outstanding violation issues with the Building Department that are being addressed and will be resolved.
- The landscaping was put in by the previous owner and will be maintained by the current owner as well as adding more vegetative buffer along the west boundary line.
- The lighting, which consists of a wall sconce type fixture at each entry door, will remain the same.
- As required under the Site Plan Regulations, a white vinyl, 6 foot high fence will be installed around the dumpster area.
- Parking and landscaping requirements will be met by adding wheel stops, leveling and adding gravel, adding landscaping to screen parking from Boston Post Road and provide edging between the parking area and the lawn.

Ms. Ozols stated that sidewalk improvements required for the previous Site Plan approval were never completed. There is an existing, secondary curb cut that is not used and part of the sidewalk is asphalt. Ms. Ozols would like to see the secondary curb cut and apron removed, the concrete sidewalk extended, and grass planted. Mr. Cassella agreed.

Ms. Ozols also stated that although the exterior of the building is not changing, it would be desirable to preserve the ability to convert some of the apartments back to mixed use at some point in the future if possible.

Ms. Waldron stated that the Town Center area is losing commercial space.

Mr. Bassett stated that the Town needs more commercial space but it is also good to have the residential units.

Ms. Parulis stated that the proposed development captures some but not all of the desired elements for appropriate development in Town Center. While residential uses are encouraged, it is recommended in the POCD that they be part of a mixed use, preferably with the residential on the second floor and retail or service uses on the first floor. The conversion of the property to multi-family is contrary to that goal.

Ms. Parulis stated that according to the Town Historian, the main structure fronting on Boston Post Road was built in 1850 and was originally the parsonage for the Congregational Church. It was moved to its current location from the Town Green in the early 1900's. It was restored in 1992 and is one of the more attractive buildings the Town Center. The historic integrity of the exterior façade should be protected to the extent feasible, regardless of its use. It is recommended that the applicant be asked to consider placing a Preservation Restriction the property.

She noted that due to the location of the driveway in proximity to the lighted intersection at Salt Island Road, it is difficult to take a left hand turn out of the property. The Town Engineer has been asked to review the location of the driveway to see if this turning movement could be improved.

Mr. Neale made a motion to find Application ZC-2013-014 for a proposed 7-unit Set Aside Affordable Housing Development pursuant to 8-30g of the CT General Statutes at 1306 Boston Post Road CONSISTENT with the recommendation in the Plan of Conservation & Development to *expand opportunities to live in or near Town Center*. Further, the main building within the development provides

“landmark value” to the street which is recommended as a desirable architectural form in the Town Center. This finding is made subject to the following recommendations:

- 1) Consider the placement of a Preservation Restriction on the historic building.**
- 2) Consult with the Town Engineer regarding configuration of the access drive.**
- 3) Remove unused apron and continue concrete sidewalk through the driveway as shown on previously approved plans**
- 4) Add landscaping to screen parking from Boston Post Road and provide edging between gravel parking area and lawn.**

The motion was seconded by Ms. Ketelsen and unanimously approved.

BILLS:

GENERAL ACCOUNTS		SPECIAL FUNDS	
1. Legal Services – Branse, Willis & Knapp	\$222.00		
2. Recording Secretary – L.DeMaria	\$84.56		
3. GIS - ESRI	\$		
4. Legal Ads - Hartford Courant	\$		
5. GIS - AppGeo	\$3,000.00		
6. Engineering – W&C (FY 12-13)	\$230.00		
W&C (FY 13-14)	\$665.00		
7. Professional Development – APA	\$190.00		
8. Printing – Ciel, Inc.	\$12.00		

Mr. Bassett made a motion to pay the General Account bills as presented. The motion was seconded by Ms. Ketelsen and unanimously approved.

MINUTES:

Mr. Neale made a motion to approve the meeting minutes of August 12, 2013 as presented. The motion was seconded by Mr. Reeve and unanimously approved.

OLD BUSINESS:

1. Hazard Mitigation Plan Review – Ms. Parulis reported that the survey results have been tallied. Copies of the results were given to the Commission. There were 280 responses. When the survey was released to the Council of Beaches, they expressed disappointment at the timing of the survey since many residents were about to leave for the winter. Ms. Parulis attended a follow-up meeting to try to allay concerns and encourage participation in the survey. She recommended that the schedule for adoption be adjusted to allow feedback from the Beach communities.

The Hazard Mitigation Plan needs to be adopted by July 2014 in order to meet the grant deadline of August 2014.

2. Harbor Management Plan Review – Ms. Parulis is working on a Memorandum of Understanding between the Land Use Commissions and the Harbor Management Commission on which applications are to be referred to the Harbor Management Commission. The original version of the Ordinance that must be adopted along with

the Harbor Management Plan required that all applications subject to a Coastal Site Plan Review be referred to the Harbor Management Commission. Ms. Parulis and fellow Land Use staff felt this would have been overwhelming for the Commission and the Land Use staff. Some members of the Commission wanted the ability to view all applications on-line and decide if they would like a referral. The Land Use Department is exploring this possibility with IT, but in the meantime, all agendas will be forwarded to the Harbor Commission to make the Members aware of upcoming applications with certain large applications automatically provided to the Commission.

NEW BUSINESS:

1. Meeting Schedule 2014 – There were no comments on the schedule for 2014. Ms. DeMaria was instructed to file the schedule as proposed with the Town Clerk.

REPORTS:

1. **Inland Wetlands and Watercourses Commission** – The Commission reviewed the Conventional Plan for the Ketelsen Subdivision.
2. **RiverCOG** – Mr. Neale commented that the group is slowly getting organized to work on the Regional Plan of Conservation and Development with the professional planning staff. He noted that the Town of Westbrook is frequently commended for its GIS data which will be useful in developing the plan.
3. **Harbor Management Commission** – Discussed under Old Business.
4. **Town Center Revitalization Committee** – Ms. Parulis stated that Peter Miniutti from the UCONN Collaborative will be giving a progress report at the next meeting.

Ms. Parulis explained that the Town requested that Woodard & Curran evaluate potential wastewater disposal capacities within the Town Center area and Flat Rock Place to determine the level of growth that could be supported by one or more decentralized wastewater disposal system(s). Ms. Ozols stated that the engineers looked at Ted Lane Field, Wren Park and two vacant lots on Flat Rock Place, and determined that these areas have the hydraulic capacity needed to accommodate the wastewater disposal systems that would be needed for full build-out of the UCONN concept plan. Now that the Phase I and Phase II studies have determined that the planned growth is technically feasible, the Town can proceed with the Phase III Study which will evaluate economic feasibility.

Mr. Neale would like the Commission to move forward with developing a Town sidewalk plan as recommended in the POCD to support a capital improvement request. Ms. Parulis noted that an estimate of \$3 million to construct sidewalks in the Priority Funding Area was included in the Capital Improvement Plan (CIP) last year but not funded. The Board of Finance indicated that they would like to see a comprehensive plan before programming the money. Ms. Parulis will obtain a Task Order from Woodard & Curran to assist with preparing the plan and report back to the Commission.

CORRESPONDENCE: None

ADJOURNMENT:

Ms. Ketelsen made a motion to adjourn at 8:55 p.m. The motion was seconded by Mr. Bassett and unanimously approved.

Respectfully submitted,

Lisa DeMaria, Recording Secretary